

Last revised: August 1, 2017

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:

Rhondise Wiley

Case No.:

17-25106

Judge:

Debtor(s)

**Chapter 13 Plan and Motions**

☒ Original

☐ Modified/Notice Required

Date: 8/23/2017

☒ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: PHY

Initial Debtor: RW

Initial Co-Debtor: \_\_\_\_\_

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 358.00 per month to the Chapter 13 Trustee, starting on August 1, 2017 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

☒ Loan modification with respect to mortgage encumbering property:

Description: Residential Property

Proposed date for completion: February 1, 2017

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection ☒ NONE**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 2100.00
DOMESTIC SUPPORT OBLIGATION		

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:  
☒ None  
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments on Principal Residence:** ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Nationstar	6 Meadowplace Willingboro	To Be paid through pending loan modification	0.00	To Be paid through pending loan modification	\$784.00

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:** ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**c. Secured claims excluded from 11 U.S.C. 506:** ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
DiTech	Residential property	\$37195.54	\$130,000.00	\$143203.00	0.00	0.00	0.00
Exeter	Dodge Caliber	\$9103.00	\$1875.00	\$0.00	\$1875.00	5.25%	\$2373.22

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan ☐ NONE**

The following secured claims are unaffected by the Plan:

Go Financial

<b>g. Secured Claims to be Paid in Full Through the Plan:</b> <input checked="" type="checkbox"/> NONE		
Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims** ☐ NONE

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*  
☐ Not less than \_\_\_\_\_ percent  
☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases** ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
DiTech	Residential Proeprty	\$37195.54	\$130,000.00	\$143203.00	0.00	\$37195.54

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Exeter	Dodge Caliber	\$9103.00	\$1875.00	\$1875.00	\$7228.00

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative Claims
- 3) Secured Claims
- 4) Priority Claims and Valid Unsecured Claims

**d. Post-Petition Claims**

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.



**Part 9: Modification ☐ NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 8/23/2017

/s/ Paul Howard Young Esq  
Attorney for the Debtor

Date: 8/23/2017

/s/ Rhondise Wiley  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

## Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 8/23/2017

/s/ Paul Howard Young Esquire  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 8/23/2017

/s/ Rhondise Wiley  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

## Certificate of Notice Page 11 of 12

United States Bankruptcy Court  
District of New JerseyIn re:  
Rhondise C. Wiley  
DebtorCase No. 17-25106-KCF  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf901Page 1 of 2  
Total Noticed: 29

Date Rcvd: Aug 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 26, 2017.

db  
517027511 +Rhondise C. Wiley, 6 Meadowbrook Place, Willingboro, NJ 08046-2106  
516964242 +Go Financial, PO Box 52626, Phoenix, AZ 85072-2626  
516964243 +Midwest Recovery Syste, Po Box 899, Florissant, MO 63032-0899  
516964245 +Midwest Recovery Syste, 2747 W Clay St Ste A, Saint Charles, MO 63301-2557  
516964244 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
(address filed with court: Nationstar Mortgage LLC, 350 Highland Dr, Lewisville, TX 75067)  
516964244 +Nationstar Mortgage LLC, Attn: Bankruptcy, 8950 Cypress Waters Blvd,  
Coppell, TX 75019-4620  
517025356 Navient Solutions, LLC. on behalf of, Educational Credit Management Corporatio,  
PO BOX 16408, St. Paul, MN 55116-0408  
517027514 +State Of New Jersey, Surcharge Violation System, PO Box 4850, Trenton, NJ 08650-4850  
516964251 +Us Dept Of Ed/Great Lakes Higher Educati, 2401 International Lane, Madison, WI 53704-3121  
516964250 +Us Dept Of Ed/Great Lakes Higher Educati, Attn: Bankruptcy, 2401 International Lane,  
Madison, WI 53704-3121  
516964252 +Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500,  
Weldon Springs, MO 63304-2225  
516964256 +Verizon, Po Box 650584, Dallas, TX 75265-0584  
516964255 +Verizon, Po Box 650051, Dallas, TX 75265-0051  
516964258 +Wells Fargo Bank, Po Box 10438, Macf8235-02f, Des Moines, IA 50306-0438  
516964259 +Wells Fargo Bank, Po Box 14517, Des Moines, IA 50306-3517

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 24 2017 22:32:53 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
smg +E-mail/Text: ustpreign03.ne.ecf@usdoj.gov Aug 24 2017 22:32:49 United States Trustee,  
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
Newark, NJ 07102-5235  
516980008 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Aug 24 2017 22:35:27 Ascension Capital Group,  
Attn: Exeter Finance LLC Department, P.O. Box 165028, Irving, TX 75016-5028  
516964235 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Aug 24 2017 22:33:35  
Credit Collections Svc, 725 Canton St, Norwood, MA 02062-2679  
516964234 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Aug 24 2017 22:33:35  
Credit Collections Svc, Po Box 773, Needham, MA 02494-0918  
517027509 +E-mail/Text: bankruptcy.bnc@ditech.com Aug 24 2017 22:32:38 Ditech Financial,  
PO Box 94710, Palatine, IL 60094-4710  
516964237 +E-mail/Text: bknotice@ercollections.com Aug 24 2017 22:32:54 ERC/Enhanced Recovery Corp,  
8014 Bayberry Rd, Jacksonville, FL 32256-7412  
516964236 +E-mail/Text: bknotice@ercollections.com Aug 24 2017 22:32:54 ERC/Enhanced Recovery Corp,  
Attn: Bankruptcy, 8014 Bayberry Rd, Jacksonville, FL 32256-7412  
516964239 +E-mail/PDF: ais.exeter.ebn@americaninfosource.com Aug 24 2017 22:35:16 Exeter Finance Corp,  
Po Box 166097, Irving, TX 75016-6097  
516964238 +E-mail/PDF: ais.exeter.ebn@americaninfosource.com Aug 24 2017 22:35:43 Exeter Finance Corp,  
Po Box 166008, Irving, TX 75016-6008  
516964241 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 24 2017 22:32:48 Midland Funding,  
2365 Northside Dr Ste 30, San Diego, CA 92108-2709  
516964240 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 24 2017 22:32:48 Midland Funding,  
Attn: Bankruptcy, Po Box 939069, San Diego, CA 92193-9069  
516964248 +E-mail/PDF: pa\_dc\_claims@navient.com Aug 24 2017 22:35:16 Navient, Po Box 9500,  
Wilkes Barre, PA 18773-9500  
516964246 +E-mail/PDF: pa\_dc\_claims@navient.com Aug 24 2017 22:35:28 Navient, Attn: Bankruptcy,  
Po Box 9500, Wilkes-Barr, PA 18773-9500

TOTAL: 14

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516964249\* +Navient, Po Box 9500, Wilkes Barre, PA 18773-9500  
516964247\* +Navient, Attn: Bankruptcy, Po Box 9500, Wilkes-Barr, PA 18773-9500  
516964257\* +Verizon, Po Box 650584, Dallas, TX 75265-0584  
516964253\* +Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500,  
Weldon Springs, MO 63304-2225  
516964254\* +Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500,  
Weldon Springs, MO 63304-2225

TOTALS: 0, \* 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 29

Date Rcvd: Aug 24, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 26, 2017

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor NATIONSTAR MORTGAGE LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Paul H. Young on behalf of Debtor Rhondise C. Wiley ykassoc@gmail.com,  
lesliebrown.paralegal@gmail.com  
Stephen M. Hladik on behalf of Creditor GFC Lending, LLC shladik@hoplawyers.com,  
gcaldiero@hoplawyers.com  
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5